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PATENT
Docket No. 435712000921

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Tamara Alcaraz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Christopher J. DANEK et al.

Serial No.: 09/436,455

Filing Date: November 8, 1999

For: DEVICES FOR MODIFICATION OF
AIRWAYS BY TRANSFER OF
ENERGY

Examiner: D. Shay

Group Art Unit: 3739

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

11/26/2002 WNOHAMM1 00000123 031952 09436455
02 FC:1806 180.00 CH

Please note that document number 1 as listed on the attached Form PTO-1449 is the corresponding U.S. Patent to PCT Patent Publication No. WO 99/03413 previously submitted in the Information Disclosure Statement filed on February 13, 2001 for the present application. Document number 2 as listed on the attached Form PTO-1449 is the correspond PCT Publication to U.S. Patent No. 5,899,882, as cited by the Examiner in Paper No. 12 for the present application as well.

This Supplemental Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate).

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

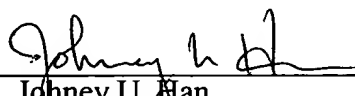
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search

has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **435712000921**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 21, 2002

Respectfully submitted,

By: 
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Form PTO-1449

Docket Number 435712000921

Application Number 09/436,455

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Christopher J. DANEK et al.

Filing Date November 8, 1999

Group Art Unit 3739

Mailing Date November 21, 2002

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	11/28/2000	6,152,899	Farley et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	2.	10/16/1997	WO 97/37715 A1	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.